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*TITLE:* SPEECH OF THE  
RT.HON WILLIAM ....

*PLACE:* LONDON

*DATE:* 1810

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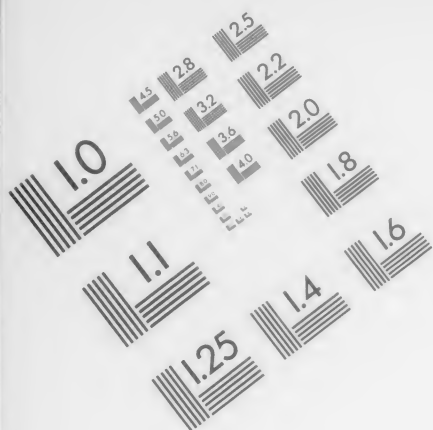
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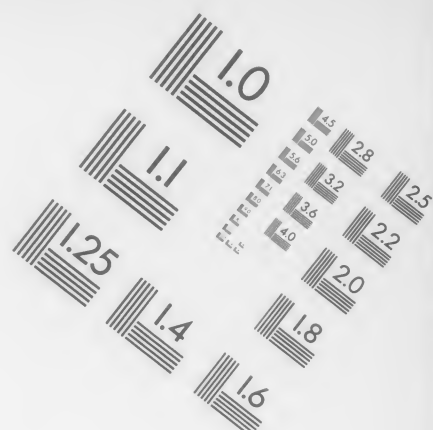
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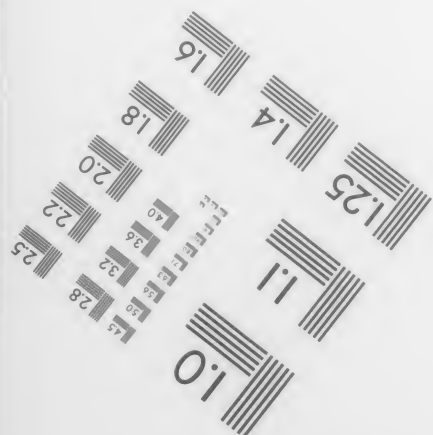
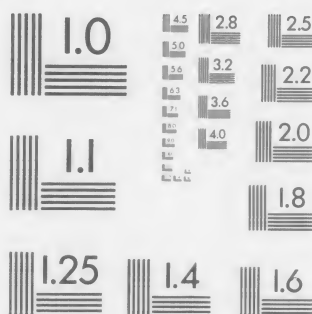
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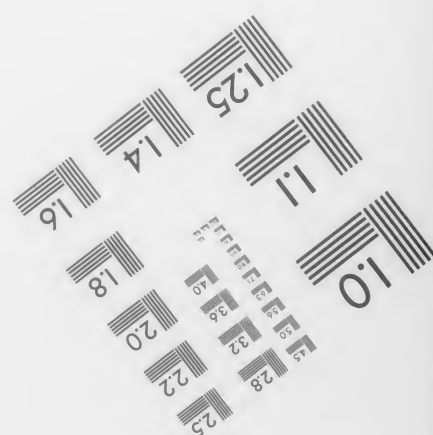
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SPEECH,  
OF THE  
RT. HON. WILLIAM WINDHAM,  
IN THE  
HOUSE OF COMMONS,  
MAY THE 26TH, 1809;  
ON  
MR. CURWEN'S BILL,

"FOR BETTER SECURING THE INDEPEN-  
"DENCE AND PURITY OF PARLIAMENT,  
"BY PREVENTING THE PROCURING OR  
"OBTAINING OF SEATS BY CORRUPT  
"PRACTICES."

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LONDON :  
PRINTED FOR J. BUDD, PALL-MALL.

1810.

#### ADVERTISEMENT.

THE following Speech is printed, with only a few slight corrections and additions, from a copy which was prepared by a collation of the reports in the different newspapers, and is inserted in the Fourteenth Volume of COBETT'S PARLIAMENTARY DEBATES.

It has been republished in the present shape, for the accommodation of some gentlemen, who had been desirous of a few separate copies, which, for want of timely notice to the printer, could not be supplied when the impression was struck off for the Parliamentary Debates.

*January 19th, 1810.*

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## S P E E C H,

&c.

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MR. WINDHAM rose and said :—Sir ; I am well satisfied to have heard, before I address you, the speeches of the two hon. gentlemen who have last sat down, as those speeches will have helped to recall our attention to the question more immediately before us, from which the speech of the hon. baronet (sir F. Burdett) had in some measure led us away, though not to any topics, which I mean to describe, or which I wish the house to consider, as unconnected with the subject. Those topics are indeed most closely connected with it, as they are in themselves also of a nature and character, to which I must not fail hereafter to advert, and with which the house will I hope be duly impressed.

In the mean while, I must fairly profess, that upon the subject of the question immediately submitted to us, I have found no reason, from any thing that I have heard to night or upon other occasions, or that my own reflections or inquiries have furnished, to alter the opinions with which I took the liberty of troubling the house on the night on which it was first brought forward. I equally think it a measure ill-timed, injudicious, founded upon false views, false facts, and false assumptions, calculated to produce no good in the first instance, and liable and likely to lead to the most serious mischiefs in future.

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The whole measure rests, 1st, upon an assumption; which, in the sense in which it is used, and the extent to which it is carried, I utterly deny, namely, that the transactions in question are corrupt; and, 2dly, upon a position; which is true indeed, but of no effect or operation without the other, namely, that acts criminal and abusive in themselves, cannot be protected by the length of time that they have been suffered to prevail, or by the number or authority of the persons, who have been found to practise them.

Nobody pretends to say, that fraud, falsehood, theft, robbery, the whole list of crimes by which society is disfigured and injured, though co-eval and co-extensive with society itself, are for that reason less crimes, or call less for reprobation and punishment, than they did at their first appearance in the world. There are innumerable offences and depravities, which no authority can support, or sanction, but which will to the end of time pull down the character and reputation of all those, be they who they may, who shall be found to have been guilty of them. What we are to inquire is, whether the acts now meant to be proceeded against, are of that sort? whether they are, like many others, acts which those who commit them know at the time to be wrong, though under the impulse of strong temptation they may not have the virtue to abstain from them; which degrade the person in his own opinion, and would, if known, degrade him in that of others; which he is compelled to condemn at the very moment he yields to them; which are attended in the immediate instance with injury to others; or, at least, tend to weaken the authority and observance of some rule, which the interests of society require to be upheld? Let us consider how the matter stands in respect to the nature and description of the fact. Let us open the pleadings by stating the case.

A minister in the time of Geo. I. or queen Anne, or king William, has a friend come to him, at the moment of a general election, who says, 'I have a great interest in the

Borough of such a place. I have a large property, and I have laid out a great deal of money, there; I have obliged, in various ways, numbers of the voters and their connections; many are dependent on me, many look up to me for favours that they have received, or favours they expect; In short, I may venture to say, that I can bring in both members. One of the seats I must reserve for my son; but for the other I shall be very happy to take by the hand any one whom you will recommend. I have been always, as you know, warmly attached to you and your friends; and anxious to give every support in my power to a set of men, whom I have always acted with in and out of office, and whom I rejoice to see in their present situations, because I think them in my conscience the fittest men to whom the interests of the country can be entrusted: I want nothing for myself, and should be very glad to offer this seat to your friend free of all expence; but the sums which I have been obliged to lay out in cultivating this interest; the property which I have been obliged to purchase, on terms yielding but a very inadequate return in point of income; the heavy charges incurred in supporting the rights of the freemen in the two last contests, joined to the probable expence of the present election, will oblige me, towards replacing in part what these will have cost me, to require a sum to such and such an amount, from the friend, whoever he is, whom you shall recommend.'—The minister says, 'I am exceedingly obliged to you: nothing could come more opportunely: I have at this moment, a young man, the son of our friend Lord Such-a-One, for whom I am most anxious to procure the means of his getting into Parliament, not only on account of our friend his father, but because he is a young man of most extraordinary promise, with his whole mind turned to public business, and likely to become in time one of the greatest ornaments and supports of the country. His father will, I am sure, have no objection to advance the sum which you require, and which is very moderate; and you will, I am persuaded, be happy in introducing into public life a young man likely to do so much credit to your recommendation.'

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All this I am taught to understand is grossly corrupt, much in the same way as any act of peculation or embezzlement. —I can only say in the first instance that I am sorry for it: because some such things have I am afraid been done even in the best times, and by those commonly accounted the best men. I am sorry to be obliged to part with so much of the admiration which I have been accustomed to feel for supposed virtue and character, and to confess that those eminent men, early and recent, whom we have hitherto looked up to as patterns of virtue and the pride and ornament of the country, were little better than corrupt knaves. It is painful, I say, to part with these convictions, and to be compelled to confess the world less virtuous than we had supposed it. It may be forgiven to us, therefore, if we make some struggle in defence of our former opinions, and if I venture to ask, as an humble inquirer, and for the sake of information, what is the precise nature and character of this corruption, and in what part of the transaction, that is to say, with which of the parties, it is supposed principally to reside.

As to the minister, who is the party first seized upon, and against whom the charge is most pressed, his guilt can be only derivative and dependent on that of others. He is only the go-between, the broker, the procureur, if you please, who brings the parties together: but unless the parties meet for some ill purpose, his office is innocent. Of the two remaining parties then, which is the most criminal, the giver or the receiver? the buyer or the seller? or is their guilt equal? Let us know a little more distinctly, what is the rule and principles which we mean to lay down.

Is it meant to be stated generally, that no place of trust and confidence, no place to which important duties are annexed, shall be disposed of for a valuable consideration? that the sale of a place of trust is, in all circumstances and in every instance, a corrupt and criminal transaction? If it is, then does both the law and the practice of various countries, and of

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this country among others, sanction and authorise most corrupt and criminal transactions. I would quote, in the first instance, the whole of the parliaments under the old monarchy of France; which, though not parliaments in our sense of the word, were of a nature to make the disposal of seats in them for money, a proceeding, if it were wrong at all, infinitely more wrong than the same proceeding would be here. For the parliaments in France were judicial tribunals, courts of judicature, in which the whole civil and criminal justice of that renowned and enlightened kingdom, was administered; and where, in spite of those vulgar national prejudices, under which we have sometimes been thought to labour, and which lead us to believe that nothing can be right or good, but what is conformable to our peculiar notions and institutions, justice was, for the most part, I believe, most ably and uprightly administered, and where certainly as great and eminent lawyers and jurists have been produced, and men of as pure and unspotted character, as are to be found in the legal history of any country whatever. Yet were all the seats in these assemblies, regularly, publicly, and avowedly bought and sold. So little do the effects of civil and political institutions, or the laws relating to them, answer in fact and practice to what the theories even of the wisest and best informed men, would previously pronounce of them! That these tribunals, whether such or not as I have described them, could not be such as our coarse and narrow prejudices, or our hasty and inconsiderate theories, would lead us to suppose, is demonstrable from the fact. For no country, much less such a one as I am adverting to, would consent for ages together, that the whole source of its justice should be polluted and corrupt.

But to avoid all reference to instances liable to dispute, let us only ask whether we have not, among ourselves, appointments; which if not absolutely judicial, are very closely connected either with judicial functions, or with others not less repugnant to the admission of any thing corrupt or impure; of which the sale is not only practised, but publicly tolerated

and authorized. In what department, too, of the state, are these offices found? In the Law, and in the Church.\* Is it not notorious, that part of the salary or emoluments of our judges, the well-earned, necessary, inadequate emoluments of our judges, arises from the sale of places, having duties belonging to them connected with the business of their courts? Yet does any man, on this account, impeach the integrity or purity of our judges; which is on the contrary (and deservedly) the constant subject of our boast? or find ground for insinuating that the functions of these offices are not as well performed, and the persons filling them, as respectable and proper persons, as they could be, if they were appointed in any other manner? The Church furnishes examples likewise, which, if not directly in point, equally contradict the position above sup-

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\* To these should have been added the Army. It will be curious to hear a general and unqualified condemnation of the sale of places of trust and confidence, in a country which publicly authorises the sale of all its military commissions, and in which the practice is defended; objectionable as it is in various respects, and unknown to the ordinances of any other service; upon the ground of its being the best method for keeping down the military influence of the crown.

Nothing can mark more strongly in what a loose, careless, and summary way, upon what imperfect consideration and hasty views, opinions are often formed and acted upon, even in matters of the highest concern. The authors of the Bill, notwithstanding the care and thought they must be presumed to have bestowed upon a measure replete with so many important consequences, appear totally to have overlooked this, (rather prominent) instance, of the army. It ought at least to have been noticed. It is not sufficient to answer that the two cases are not precisely, and at all points, the same. What two cases are precisely the same? The army is at least a case in point, in an argument which proceeds throughout on an assumption, that the sale of a place of trust and confidence is *in genere* a corrupt act. At any rate, the difference between the two cases is not the difference between all and none; between the most furious and unrestricted reprobation, and the absence of even a suspicion, that there was any thing amiss.

posed, if laid down to its full extent; and in such a manner as not to shelter itself under the distinction, not a very creditable one, between an actual and a virtual sale. For what does any man do, who purchases or who sells the advowson of a living? or who purchases or sells the next presentation? does not he, both in effect and intentionally, purchase or sell the nomination to an office of the highest trust and confidence? and if this be morally wrong, can it cease to be so, because the act of appointment is not to take place immediately, but is in some degree contingent and remote? Can that which is corrupt and criminal if carried into effect immediately, become perfectly innocent, because the execution of it is made to depend on an event, which, though certain, may not happen for several months? It is impossible, therefore, to maintain, that the sale of seats in parliament is corrupt, simply upon the principle, that it is corrupt to take a valuable consideration for a nomination to a place of trust and confidence. The known, recognised, authorised, avowed practice of our own country, in departments the most exempt from any suspicion of impurity, and where the admission of any thing incorrect would be most anxiously guarded against, is in direct contradiction to such a position.

We have still therefore, to look for the ground on which either the buyer or the seller, in such a transaction as that above stated, is to be represented as being a man morally corrupt. In fact if their proceeding is corrupt, it will be difficult, or as I should say, utterly impossible, to stop there, and not to go on and declare corrupt the very influence itself, by which they are enabled to carry into effect this corrupt bargain. If the buying and selling be corrupt, it can only be so for reasons, which will make it corrupt to have the commodity which is capable of being so bought and sold. This is the true seat of the grievance, as, it must be confessed to be, the true place in which to apply the remedy. So long as there are persons in a situation to say, I can make an offer of a seat in parliament, so long will there be persons to treat with them for that object, and so long will

means be found, for commuting in some way or other, the influence so possessed, for considerations valuable to the possessor. The only effectual way will be to get rid of the influence altogether. To make it penal for any one to have such goods in his possession. This the hon. mover may be assured is the use that will be made of his measure (nay it is the just and legitimate use) by those who do not scruple now to oppose it, because they like to argue the question both ways, to be ready for either event; and may think possibly, that more is to be gained by procuring the rejection of it, and by the ground thereby laid for raising a clamour against parliament, than they can hope for from the argument and the authority which it will furnish, towards subverting the greater part of the influence, which property is now allowed to retain.

I know how prompt the answer to this will be, and how triumphantly I shall be told, that no two things can be more remote from each other, than the influence of property, the just, wholesome, legitimate influence of property, and the sale of seats.—But let us recollect that in the present business, we are arguing throughout upon *principle*, and that it is of the nature of *principle*, to unite things the most various and opposite in their individual forms and circumstances. It is not a question, how far things may be distinguished; but how far those, which are naturally distinguished, may be assimilated and made one. Those who can make no distinction between an offence against the bribery laws, by giving money to a particular voter, and the sale of a seat, can hardly be expected to distinguish between the sale of a seat, and such a use of influence as will give them the seat to sell.

I am as well aware as another that there is much influence which, though ultimately to be traced to property, is so remote from its primary source, has been so changed in the gradations which it has passed through, has been so improved by successive graftings, as to retain little or nothing of its origi-

nal character,—of the harshness and acerbity of the parent stock. The case is the same as with that passion in our nature, which though too gross to be named, is often the source of every thing most delicate and sentimental; which, as the poet describes,

—through some certain strainers well refin'd  
Is gentle love, and charms all woman-kind.

All, in these instances, that property may have done, is to have given to virtue the means of acting, and the opportunity of displaying itself; to have furnished the instrument without which its energies must have been useless, and to have erected the stage without which it would have remained unknown. I am under no apprehensions for the fate of influence of this sort. My hon. friend and others, notwithstanding the operation of this bill, will be at full liberty, I trust, to lay out their thousands in acts of beneficence and bounty, in building bridges, or endowing hospitals, in relieving the wants or advancing the fortunes of the indigent and meritorious. They may still enjoy, together with all the heart-felt satisfaction, all the influence which will naturally arise from property so employed;

Him portion'd maids, apprentic'd orphans blest,  
The young who labour, and the old who rest.

But is this the only way in which property exerts its powers? Is it always taken in this finer form of the extract or essence? Is it never exhibited in the substance? It is here that the comparison will begin, and that the question will be asked; which the advocates of this bill, who do not mean it to extend to the abolition of the influence of property, will do well to be prepared to answer; How, if the sale of a seat or any commutation of services connected with such an object be gross corruption, can we tolerate the influence which property gives, in biasing the minds of those who are to give their votes? How a landlord, for instance, should have any more influence over his own tenants, than over those of ano-

ther man? How a large manufacturer should be able to bring to the poll more of his own workmen, than of those employed in the service of his neighbour? How an opulent man of any description spending his fortune in a borough town, should be able to talk of his influence among the smaller tradesmen: or be at liberty to hint to his baker or his butcher, that, laying out every week such a sum with them, as he does, he expects that they should oblige him by giving a vote to his friend, Mr. Such-a-One, at the next election? If all this is not corrupt, upon the principles on which we are now arguing, I know not what is. What has money spent with tradesmen, or work given to manufacturers, or farms let to tenants, to do with the independent exercise of their right, and the conscientious discharge of their duty, in the election of a member to serve them in parliament? A fine idea truly, that their decision in the choice of a representative is to be influenced by the consideration of what is best for their separate and private interest! or that persons, the advocates of purity, and who will hear of nothing but strict principle, should attempt to distinguish between the influence which engages a man's vote by the offer of a sum of money, and that which forbids the refusal of it, under the penalty of loss of custom or loss of work, or of the possession of that on which his wife and family must depend for their bread? I shall be curious to hear in what manner, not the advocates of this bill, but the advocates for the principles on which this bill is enforced, will defend themselves against these questions; and be able to show, that while it is gross corruption, gross moral depravity, in any one who possesses such influence, to connect his own interest with the use of it, even though he should not use it improperly, it is perfectly innocent to create that influence by the means just described? Or on the other hand, if such means are not lawful, how the influence of property is to continue, such as it has at all times subsisted in practice, and been at all times considered as lawfully subsisting? It is indifferent to me which side of the alternative they take; but let them be well aware that such is the alternative to which they will be reduced; and that if they contend generally, as is now done,

that such and such things are corrupt, because they admit the consideration of interest in matters which ought to be exclusively decided on principles of duty, it is in vain for them hereafter to contend that any man has a right to influence his tenants, or tradesmen, or workmen, by any other means at least than those by which he may equally influence the tenants, tradesmen, or workmen of any other person; that is to say, by his talents or by his virtues, by the services which he may *have* done, and the gratitude he may *have* inspired.

When I look therefore to the moral qualities of these acts, as independent of and antecedent to positive law, I am at a loss to find what it is, either on the score of principle or of authority, that determines them to be corrupt, or that enables us, if they are corrupt, to exempt from the same sentence of corruption nine tenths of the influence, which has hitherto been supposed to be attached, and legitimately attached, to property, and which, for aught that at present appears, there is no intention of taking away.

But though such may be the result of an inquiry into the moral constitution of these acts, there can be no doubt, that the law may render corrupt any act which it pleases, that is to say, the law may make any act which it pleases illegal; and to do, or procure to be done, an illegal act, from an interested motive, is, I apprehend, corruption.

We are to inquire therefore, in what manner and to what degree, those acts, which generally speaking are not corrupt, have been rendered so by positive law. And first, without affirming or denying the fact, let us examine the conclusiveness and validity of the arguments, by which it has hitherto been attempted to be proved. It has been said by those from whom I should have expected better reasoning, that the corruption follows of necessity from the laws respecting bribery in the case of individual voters; for that it is impossible that the law should be guilty of such monstrous inconsistency, as well as of such flagrant injustice, as to punish the poor for bri-

bery in retail, while they suffer it to be practised with impunity by the rich in wholesale.

There is something so wildly inconclusive in this argument, as to make it difficult to set about formally to confute it. I cannot better illustrate its fallacy than by an argument something of the same sort, quite as good in respect to conclusiveness, and much better in respect to point and archness, which I remember to have heard, as a boy, at a contested election for the county of Norfolk; where one of the candidates, a most respectable man, had rendered himself obnoxious by the inclosure of a common, (a proceeding less familiar at that time, and better calculated therefore for a subject of popular clamour); upon which the wit of the day was to ask, in way of dialogue, what that man deserved who should steal a goose from a common? and when the answer was given, to follow up the question by another, what then shall be done to him who steals the common from the goose? This was very good election wit, but certainly very bad argument; (though just as good as that to which I have been adverting,) for what is the affinity between the two offences, so as to justify the considering the one, as differing from the other only by being upon a larger scale? A man by procuring the inclosure of a common, where such inclosure ought not to take place, may do a much worse moral act, with less temptation probably, and with far more injury to others' interests, than by the theft of many geese: yet who would ever dream of describing these as kindred acts, or propose that the incloser of commons, if convicted of having inclosed when he ought not, should be punished by imprisonment and whipping? Other instances may be cited more directly in point. There are, or have been, I believe, laws to restrain the retail sale of spirits. Should we think that a man argued very wisely or conclusively, with much fairness of representation or much knowledge of the principles of legislation, who should harangue at the door of an alehouse (the only place however fit for such a discourse) against the justice of laws, which could punish a publican for selling a dram to a poor wretch, who wanted it

perhaps to solace him under the effects of cold and hunger, to whom it must stand in the place of food and raiment; while the same law did not scruple to permit the sale of these spirits by wholesale on the part of the rich merchant or still more opulent planter? and should take occasion from thence to ask (exactly in the stile of my hon. friend) if such was the punishment for selling a dram or gill, what did they deserve who sold these spirits by whole puncheons and ship-loads? The answer is, that these acts do not stand to each other in the relation of more or less, but are perfectly disparate and dissimilar; are productive of different consequences; are to be regulated by different provisions; are so widely separated in character, as that the one may be an object of national encouragement, a source of public wealth and benefit, while the other can produce nothing but mischief, and is a practice requiring to be restrained by penal statute. Nothing therefore can be more false than the inference by which it is concluded that the sale of a seat, in cases where it can be effected, must be deemed corrupt, because there are laws which prohibit the gift of money to individual voters. Both may be corrupt, and both may require to be prohibited: but not the one on account of the other.

Supposing however the fact to be, that by fair construction of the law of parliament, such bargains as are here in question, must be considered as illegal, and may in consequence be denominated corrupt: it is so far from following that the present bill is therefore necessary, that the presumption would rather lie the other way, and the conclusion be that a new bill was not wanted; inasmuch as it could only prohibit that which was already prohibited. In general, the precedent of any law tells as much for what it does not, as for what it does. If we have the authority of our ancestors for doing so much, we have their authority also for doing no more. If they tell us, that such things ought to be prevented, they tell us likewise, so far as their practice is our guide, that the attempts at prevention ought not to be pushed beyond a certain extent. It is undoubtedly true, that laws, right in their object, may

be deficient in their means, or that change of times and circumstances may require new penalties and provisions to effect that to which the old were formerly adequate. But then this change and this necessity should be shown; and after all it is no just conclusion, that because our ancestors wished to prevent certain things by certain means, they would therefore be willing to accomplish their object at any price, or have recourse to any means, be they what they would, which the attainment of that object might require at a subsequent period.

Our business therefore is to ascertain, what it is right for us to do, with respect to an object, on which neither morals, nor law as antecedently established, prescribe to us any certain mode of action, nor even impose upon us the necessity of acting at all.—The acts in question are not in themselves corrupt or immoral. The law has either prescribed nothing about them, or, having prescribed what it has thought fit, has left, to say the least, the necessity of any further provisions, to the judgment of the legislature of the time.—It may be, that what it is proposed to suppress is a political evil, tending to render parliament a less fit instrument for promoting the general welfare. If it is so, let us, in God's name, set about in earnest to devise the means of suppressing it: taking care always as in other instances, that in eradicating what is bad, we do not injure what is good, that in removing one evil we do not introduce others of far greater amount. But with this view, let us be sure, that in attempting change, with all the dangers to which change is liable; particularly in a machine so delicate, so complicated, the movements of which can be so little defined, and are so imperfectly understood, as those of the British constitution; we are not proceeding upon assumptions, which we ourselves at the moment suspect to be false, and which we adopt rather in compliance with the clamour of persons out of doors, than in conformity to our own sober, deliberate, and unbiassed judgment.

It is in fact in deference to the former of these motives, that is to say, to the voice of what is called The Public, that the adoption of the measure now proposed is principally urged. And this being the case, it is in a more especial manner incumbent upon us, to consider what is the nature of this call, by what causes it has been excited, with what circumstances it is combined, and from what classes and descriptions of persons it chiefly proceeds. It would be the height of weakness and folly in any case to adopt a great political measure without considering something more than the mere measure itself, without looking to the right and to the left, and inquiring what consequences it was likely, or liable to produce beyond those immediately in view.

We have been told that this measure has nothing to do with the great question of Parliamentary Reform. If this be so, we have all been under a strange misconception, for, with one exception only, not a gentleman has spoken upon the measure, on either side or in any stage of its progress, who has treated the subject upon any other footing. It would in fact be perfect childishness to consider this measure, otherwise than as arising out of the temper and fashion of the times, and as part of that wild rage, which has suddenly seized us; nobody knows why or wherefore; for pulling to pieces the government and the constitution. It is one of the introductory steps, which, it is hoped, may lead us in time to conclusions of greater importance: one of the early symptoms, the little eruptive pustule which shews, that we have received the infection, that the disease has got hold of us. The disease itself is however denied; and we are required to believe, that the whole of the present cry originates in nothing, but in the abuses recently discovered in the business of the Duke of York.

Let this opinion be examined. The amount of what the Inquiry into the Conduct of the Duke of York has discovered, is, that the mistress of a man in power had received money for the use of the influence, which she had, or pretended to have, in procuring places and appointments. This, if it stood

*Official & others*

alone, would be an odd ground for bringing a general charge of corruption against the government, or even for arraigning the person himself: for who is there in office that is not surrounded by connexions, [redacted] by whom such a pretence of influence might at any time be set up, and by whom in many cases, it might be maintained, with a degree of plausibility far more than sufficient for imposing upon persons who by their eagerness and their ignorance have shewn themselves, as we have seen, so well prepared to be imposed upon? As for participation or connivance, though there are persons who accuse the Duke of both of these, their numbers are few, (speaking always of those whose qualifications for judging are such as to make their judgment of any value,) and even of those few, fewer still think that their suspicions, whether true or false, admit of any sufficient proof. The whole of the proof, with the exception of a single doubtful passage from Miss Taylor, rested on the authority of such a witness as Mrs. Clarke, speaking, too, to facts which passed only between her and the party accused.\*

\* Since the above remarks were made, some curious circumstances have occurred, materially affecting the complexion of the cause as it appeared originally before the House of Commons.

Col. Wardle has found out that his principal witness, the witness on whose testimony the Charge, as applicable to the Duke of York, almost exclusively rested, was a person not fit to be believed upon her oath.

It is thought perfectly right and fitting, that Mrs. Clarke's unsworn, and unsupported testimony, on a question of private conversation, in which she and the party accused were the only persons present, was to be good against the Duke of York; while her sworn, supported, and, till the last trial, uncontradicted testimony, in matters not passing in secret, and in support of facts having nothing in them incredible or even difficult of belief, was not to be good against Col. Wardle.

This is popular justice!

Considering what was the point really at issue in the late trial, it is difficult to say, which of the two decisions, the one

Yet with all this, such is the surprise excited in this country by a suspicion, even, of corruption in persons of high rank and station, and such the commotion which any suspicion to that effect never fails to create, that the Duke of York, a member of the royal family, the king's own son, in full possession of his father's favour, and of the respect and good will of the greater part of the nation, is fain to quit the situation of Commander in Chief, which he has held with credit for fourteen years and more, and to withdraw into retirement, sooner than run the risk of the steps, which parliament, it was feared, would otherwise be induced to take.

for, as it is called, or the one *against*; was that which Colonel Wardle ought most to have deprecated. If the credit of his witness was established, he stood convicted of having made pecuniary engagements, for the purpose too, as it must appear, of suborning evidence; and of refusing afterwards to make them good. If, on the other hand, his witness was disbelieved; in which case she could be considered only as a woman deliberately perjured; what atonement or apology could he make, to the several parties and interests, which had suffered or been endangered by his proceeding? (to the Duke of York, the immediate object of the attack; to the King, whose best feelings had been tortured; to the House of Commons, whose confidence had been abused, whose time had been mis-spent, and whose character had been committed; to the general cause of injured justice;) for having brought forward a cause, which, in the sole material point, namely, the application of the charge to the person accused, was to rest, principally if not exclusively, on the testimony of such a witness? And it must not be supposed, that the dilemma, to which Col. Wardle is thus reduced, is one that can be retorted upon those who urge it, or be made to tell in favour of him as well as against him. Though the conclusion be inevitable, that if Mrs. Clarke was forsworn on the Trial, she was not a credible witness in the Examination before the House of Commons, it does not follow *à contrâ*, that the belief of her testimony in Court, where she was examined upon oath, and was speaking to matters that passed in the presence of others, implies the necessity of believing her, when she was not upon oath, and was delivering a testimony, which, whether true or false, left her equally free from the possibility of detection.

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Can any man believe that it was an instance like this which has inspired the country with a distrust of its government, and excited a desire of new modelling its parliament, as being too submissive to the wishes of the court? We must look to other motives and purposes; to which the present bill is meant to serve as an instrument, and for which the business of the Duke of York is made to serve as a pretext, being after all, it must be confessed, a very flimsy and sorry one.

Upon what principle is it that we are told, that it is to libel the people of England, to say that there are among them thousands and thousands, who wish the destruction of the present order of things, and who are labouring night and day to carry into effect that laudable purpose? And with what decency, it may be added, is this libel complained of by those, who are every day libelling this house, and all the higher orders of the state, in the grossest and most unmeasured terms? Why is it more a libel than to say, that there are among the people of England robbers, murderers, and housebreakers, and offenders of all descriptions, and who, numerous as they are, would soon show themselves in tenfold greater numbers, if the fear of the law did not keep them down? Are there not as powerful motives, passions as fierce and strong, and interests as tempting and urgent, to arm men for the overthrow of all government, as there are to incite them to depredations on private property, or any other act of violence? There is no government, bad or good, that can boast of owing its stability (or quiet at least) to any other cause, than to the difficulty and danger which is opposed to every attempt to subvert it. Let but the project be easy, let but hopes be entertained of its success, and thousands will be found, who from motives of different sorts,—some from folly, and some from wickedness; some because they know not what they are about, some because they do know; some as knaves and more as dupes; many from motives of interest, and more from motives of passion; some because they hate one part of the establishment, and others because they hate another; some

as mere fanatics, and because they have entangled their understandings (commonly of the most inferior cast) in speculations to which they are wholly unequal; others from mere restlessness and love of something to do; but far the greater part, from some species of bad passion or other, (not excluding of course those most powerful and general ones, vanity and love of distinction,) are desirous of seeing some great change in the order of things as they find it established: not all of them by any means desiring a change of the same sort or to the same extent; Oh, no! but all of them a change suited to their several views, and proportioned to their several interests and situations.

My honourable friend, the author of the measure, and a great landed proprietor, thinks that there would be signal advantage in a change which would throw more weight into the scale of the landed interest. Another honourable friend of mine, likewise a great landed proprietor, is of opinion, that those who can only purchase their seats, are intent upon nothing but getting back their money. To these are opposed many gentlemen of the monied interest, who see no reason, (nor do I, I confess, see any) why they who may have paid a sum for their seats once for all, should be more desirous of getting back their money, than he who has spent that sum, or three times as much, in a contested popular election. I am far, too, from being convinced, from any observations that I have made of the conduct of men in parliament, that such, in point of fact, is the case. To my apprehension many of those who may be suspected to have come into parliament through these condemned and reprobated ways, have been among the most upright, honourable, and independent members, that parliament has had to boast, far exceeding others that could be named, who from the money they have spent, and the interests they have staked, in elections pretending to be of higher account, have only brought themselves to be the mere slaves of popular opinion, that is to say, of their own future hopes, in the places which they represent. Many of the former description, from the class to which for the most part they be-

long, will be of opinion, probably, that the best improvement would be that which conspires best with the general change in the circumstances of the country, and by taking something from the old and obsolete privileges of the landed aristocracy, the barbarous remains of feudal times! gives a free scope to men who owe their wealth, not to dull hereditary descent, but to their own enterprize and industry, and have grown rich by means that have at the same time enriched, or otherwise benefited the country.

But there is a third and more numerous class, (and by no means an inactive or inefficient one,) who looking with no very friendly eye to advantages which they do not share, and knowing to a certainty that they have neither land or money, yet fully persuaded that they have talents, will be for levelling to the ground all those barriers, which have hitherto, as they are firmly convinced, been the sole obstacles to their advancement, and have alone hindered them from figuring in the first situations of the state.

The general rule will, I believe, be, that each man's opinions will be found to lean to that state of things, which he conceives to be the most favourable to his own consequence. Political consequence is probably a far more powerful, as it is a far more extensive motive, than prospects of private advantage. The numbers may be few, who can hope to better themselves by any change, in a pecuniary view: and these will of course be found for the most part among persons of no great authority from their present wealth or station. But many will have in their minds, (and the highest in rank and fortune not less than others,) some scheme of things, in which they may hope to become more considerable in point of general consequence. And if such men should be, as they are the most likely to be, men of ardent and daring minds, jealous of their importance, eager for distinction, impatient of controul, less awed by the fear of loss than sanguine in their hopes of gain, materials will not be wanting for furnishing out a revolution even from among the higher orders; in opposition to that childish notion, so false even in theory, and so contrary to all

experience, that men will not engage in such enterprizes who have much to lose; or, as it is often expressed, have a great stake in the country.

Heretofore, in fact, disturbances in the state were confined entirely to the class that had much to lose, namely, to persons in the highest rank of society; and though, since the example of the French Revolution, this limitation is done away, and the lottery of revolution thrown open even to adventurers of the lowest denomination, yet the rich are not excluded, and we see every day that they are not at all disposed to exclude themselves. For though the French Revolution exhibits the most striking example of failure, that the lovers of right could ever have wished to the authors of wrong; yet this failure relates only to the professed objects, the peace and happiness and liberty of mankind. In other respects, and with relation to the views and interests of individual reformers, who, in truth and fact, trouble themselves but little with the peace and happiness and liberty of mankind, the example is most encouraging; and particularly with respect to those, who are not likely to be deterred by personal risk; for nothing can show so strikingly the facility with which the object can be accomplished, and with which men from the lowest stations may be lifted suddenly to the highest. This is all that is wanted; for give but the chance of success, even a very indifferent chance, and thousands will not be wanting, high and low, to engage in the undertaking, and to labour with all the restless activity and increasing industry with which we see the work carrying on at this instant.

Still the means must be supplied. They cannot make bricks without straw. Even these reformers or revolutionists, numerous as they are, and strenuous as their exertions are, cannot make a revolution of themselves, nor by their utmost efforts throw the country off that happy basis, on which it has rested for so many centuries, an object of admiration and envy, and never more so than at the present moment. The great mass of the community is, no doubt, against

them : but industry and perseverance may do much. Those who would never listen to such a proposal in its full extent, may yet be drawn in by degrees.

Formerly, that is to say, some five and twenty years ago, the attempt was made through the medium of mere abstract reasoning. Incredible as it may seem, the idea was entertained, as I should say, of overturning the government, but as even the authors of the attempt must say, of totally changing the constitution of parliament, not by pointing out any practical grievance under which men laboured, but by convincing them that the whole of the British constitution, such as it then existed, and such as it had existed for ages, was an infraction upon the rights of man. The notion was new of attempting to make a great change in the practical concerns of mankind, by the mere force of metaphysical reasoning. But wild and extravagant as such an attempt may be, and little, happily, as was its final success at the period alluded to, we must not speak too slightly of it, when we recollect what share such notions had in bringing about the French Revolution, of which they ostensibly made the basis. At the end of twelve or fourteen centuries, the French monarchy, at the moment of its greatest mildness, and when all that was harsh and odious in it was daily wearing away, was overthrown, with all the circumstances which we have witnessed, ostensibly by the mere force of metaphysical reasoning; and what is more humiliating, if not more surprising, by metaphysical reasoning of the most contemptible sort !

This mode, however, has now lost much of its efficacy, and has got to be rather out of fashion. In seeking to embody the natural and unavoidable discontents of mankind for the purpose of overturning governments, which is the general description of what I should understand by Jacobinism, it has become necessary to have recourse to something more solid and substantial than mere grievances of theory, and to take the discontents arising from real causes, whether the discontents themselves be reasonable or not, and then to connect these as

effect and cause, with something wrong, or said to be wrong, either in the frame or practice of the government. The discontents you are sure of; they can never be wanting, as long as men are men, and that society is composed of various ranks and conditions, whereof some are higher and better than others. Since the days of *qui fit Mecenas*, down to the present moment, few have ever been found, who were so contented with their lot, whether chosen by themselves, or cast upon them by Providence, *ut illâ contenti vivant*: and if they cannot be said, *laudare diversa sequentes*, they at least think that their own situation is not so good as it ought to be, or as a little change would make it. In a country like this, where a great portion of our immense riches is paid in contributions to the public service, no man will ever think himself as rich as he ought to be : for though the wealth of the country has increased in full proportion, I believe, to its burthens, that is to say, to its expenses; and though there never was a time when that wealth was more evenly diffused through all ranks and classes of people, yet as luxury has increased at the same time, not to say with equal rapidity, every man may in some sense describe himself as poor, inasmuch as the interval between his income and his expenditure will, as a proportionate part, be less than it was before. Let his wealth be what it will, if his expences increase in such a way as to continue to press equally upon the bounds of his income, he will never be a bit richer, with respect to any disposable surplus, but will be equally under the necessity of parting with some article of pride or enjoyment which he wishes to keep, whenever he is called upon for any contribution to the service of the state. It is therefore the singular and melancholy characteristic of the state of poverty here described, that it is one which riches cannot cure. In common cases if a man be poor, give him money enough, and he is poor no longer. But here we may almost say, that the richer the nation is, the poorer it is. It is in vain that wealth is pouring in upon us from every quarter, and through an endless variety of channels; that it is not confined, as national wealth in truth never can be, to particular persons or classes, but is

diffused throughout with wonderful exactness; or rather in larger measure, in fact, to the lower and middling orders; that foreigners, resorting hither, cannot behold without astonishment a display of wealth and enjoyment, unknown at any former time, or in any other country; that we are reproached every day from the continent with our opulence and prosperity as contrasted with the penury and misery of other countries; and are regarded with greedy eyes by the master of all the rest of Europe, as a mine of wealth, which he is longing only to get possession of; all this while, we, who know these things better, are full of complaints and lamentations, and representing ourselves, as an oppressed, burthened, and above all, impoverished nation.

In the midst of this, there is nevertheless one remedy, which, if men could be persuaded to take it, would do away, as by a charm, all this dreadful state of poverty, and restore them in an instant to a condition of ease and affluence.—It seems like quackery to suppose the existence of such a *nos-trum*, but it is explained in two words—Let every man resolve to live with no greater measure of enjoyments than his father did before him, than people of the same rank and class did forty years ago. I do not ask that they should lay out only the same money: The same money would not now procure the same enjoyments: but that they should only require the same enjoyments. Let those who formerly walked on foot, be content to walk on foot now, and forego the use of a horse, when the price too of a horse and the expence of keeping one are so much greater. Let those whose means extended no further than to the keeping a horse, be willing to go back to that indulgence, and dispose of their gigs and whiskeys and tandems, now, too, that every article of that sort has risen to such an enormous amount. Let the former riders in gigs and whiskeys and one-horsed carriages, continue to ride in them, and not aspire to be rolling about in post-chaises or barouches, or often both in the one and the other. By this simple expedient, pursued, *mutatis mutandis*, through every class of the community, one may venture to say, (speaking

always of persons whose misfortunes or imprudences have not reduced them already to actual indigence; that, nine tenths of those who are filling the country with their clamours and wailings about the distresses of the times, all but the holders of fixed incomes of an early date, or persons in the lowest class of labourers, will find themselves instantly in a state of ease and comfort fully able to satisfy all the demands of the state, and to lay by something as a future provision for their families.

But as the expedient, we are sure, whatever its merits may be, will never be adopted, there will for ever remain, in the feeling excited by the payment of taxes, an inexhaustible fund of discontent, of force sufficient to produce any effect desired, provided means can be found to give it a proper direction. This is the great work on which the artificers of revolution are at present employed. They say to the people, you are all sensible of the burthens under which you labour: you all dislike the payment of taxes. Now what is it that carries the taxes to this immense amount?—A common man would say, the immense amount of the civil and military establishments of a great empire extending over half the world; the numbers of civil officers necessary to carry on its business in time of peace, and the armies and navies, with all their attendant train of expences, to provide for its security in case of war. But, No, say the band of patriots here alluded to, the objects here stated are, to be sure, such as cannot be provided for but at a considerable expence. Wars cannot be carried on, armies and navies cannot be maintained, without money. But these expences alone might well be borne: what sinks the country is the wasteful expenditure of the public money in jobs and corruption, in sinecure places and pensions. It is the abuses that undo us: the abuses that we must correct: and as it is parliament that sanctions, if it is not itself the great seat of, the abuses, it is parliament that we must correct and reform.

The argument is perfectly regular, and the conclusion inevitable, if you admit the several antecedent positions on which it is made to rest. The statement contains in it too all that is necessary to give it effect. A willing audience will never be wanting to statements which hold out a hope of exempting men from the necessity of paying. Once persuade them that all their payments and burdens are the consequence of abuse or mismanagement in some part of the government, and you produce a state of feeling adequate to almost any purpose for which it can be wanted. Taxes and abuses, joined, generate a kind of expansive force, that will burst asunder even the best compacted governments. The abuses, too, serve to give a direction to the discontent and angry feeling, produced in the first instance by the taxes. They stand in the place of the abstract rights of a few years ago, and are the last improvement made in the machine for overturning states, from which it is conceived to derive a much greater heft and purchase, than in its old form of 'taxes and the rights of man.'

A number of persons are accordingly in a constant state of active search, prying among the establishments, and winding about like a wood-pecker round a tree, in the hopes of finding some unsound part into which they may strike their beaks and begin to work: but not like the honest wood-pecker, who is only in search of the grubs and worms on which he may make a meal, and is at least indifferent as to the fate of the tree. They on the contrary only take the grubs and worms for their pretext, and have for their ultimate object, to open a hole, into which the wet and the rot may enter, and by which the tree, the British oak, (a beautiful shaft of I know not how many load, and the growth of ages) may decay and perish. Did their labour really terminate in their professed purpose, did they really mean only to pick off the vermin that prey upon the state, they might be as useful as rooks and jackdaws to a flock of sheep: or might share the higher honours, which are paid, in countries infested by locusts, to the bird that rids them of that destructive insect. But to merit these honours,

their endeavours must be directed to far different objects, be carried on in a different manner, and be dictated by very different motives.

Let us consider what it is that is comprehended under this general head of abuses, which forms the great instrument whereby the discontents of a country are made subservient to the destruction of its government; which collects and compounds the separate elements of dissatisfaction, to be found floating in society, so as to prepare them for those grand explosions by which states are overthrown.

By abuses is meant, I suppose, either the abuse of patronage; the granting to favour, or interest, what ought to be granted only to merits and services; or secondly, the purloining, embezzling or corruptly applying the public money. Let us endeavour to ascertain how much of either of these species of abuse exists: how much of them is to be charged to government: and how much, in any event, is likely to be corrected by what is called a Reform of Parliament.

As to the last of these heads of abuse, the purloining or embezzling of the public money; by which must be understood the transferring, by false accounts or otherwise, into the pocket of the individual, what was intended for the public service; I suppose it is hardly necessary to say, that the idea of such an offence as existing among those who constitute what can with any propriety be called the government, could be generated only in the gross imaginations of persons totally ignorant of the principles and motives by which men in such situations must of necessity be actuated. It is not a question of their virtue or probity; but of their feelings, habits, manners, and prudence. They may be, as they often are, mercenary, selfish, rapacious, unprincipled. But it is not in acts like those alluded to, that these dispositions will show themselves, even in the persons who feel them most. It might as well be supposed, that they could seek to enrich themselves

by conveying away a diamond snuff-box, or pilfering guineas out of a drawer. Nothing can prove more clearly the degree to which this is true, than the commotion excited, and the effects produced by any appearance of irregularity, even of a minor sort, among persons in higher stations, in transactions connected with the administration of money.

With respect to the abuse of patronage, one of those by which the interests of countries will in reality most suffer, I perfectly agree, that it is likewise one, of which the government, properly so called, that is to say, persons in the highest offices, are as likely to be guilty, and from their opportunities, more likely to be guilty, than any others. Nothing can exceed the greediness, the selfishness, the insatiable voracity, the profligate disregard of all claims from merit or services, that we often see in persons in high official stations, when providing for themselves, their relations or dependants. I am as little disposed as any one to defend them in this conduct. Let it be reprobated in terms as harsh as any one pleases, and much more so than it commonly is. But the evil from persons of this description is necessarily limited, not possibly by their own moderation, but by the extent to which their desires are capable of being carried. They can eat no more than their stomachs can contain. The list is small of those immediately connected with them, nor is the number unlimited of those whom they may wish to serve from motives of vanity or interest. When the leech is full, it will drop off of itself.

But what shall set bounds to those streams of abuse that take their rise among the people themselves? Let us trace the genealogy; the birth, parentage, and education, of nine tenths of the jobs that are done in the army and navy, or in the other departments of the state, and see from what they originate, and in what manner they are brought forward. A gentleman, at the eve of a general election, or on some vacancy in a borough or county, is addressed by some one who is, or, who, he hopes, will be his constituent, some full-grown manufacturer,

or opulent brewer, or eminent attorney, who says, "You know my son Tom, who is in the navy. He has been for some time a lieutenant, I should be very glad, if you would get him made Master and Commander." The candidate or member bows assent, (Mr. Such-a-one is not a man to be disobliged) he speaks to his friend the minister; the minister speaks to the First Lord of the Admiralty, and, without further inquiry the thing is done; nobody being able to divine, of those who are not in the secret, and only know our son Tom professionally, for which of his good qualities or meritorious actions he has been made, so much out of his turn, and over the heads of so many old and deserving officers, a master and commander. Here then is a complete job, passing through several successive stages, and disgraceful enough in its progress to all the parties concerned in it, including the member, the minister, and the first lord of the Admiralty, but certainly not excluding the constituent, the corrupt constituent, who is no member of the government, high or low, but one of the people, and the prime author and mover of the whole. When this constituent shall hereafter reproach his member, as one of a body that is all corrupt, composed of persons who think of nothing but their own interests, without any regard to the interest of the country, the member may possibly be able to reply: "The most corrupt act I ever was guilty of, was that scandalous job by which I bought your vote and interest, when, contrary to all right and justice, I procured your son to be made a master and commander."

We have here the history of a job, which, though springing from a root, that lies wholly among the people, is supposed not to confine itself to the place of its original growth, but to extend its shoots into the parliament, and into the executive government. With a view, however, of shewing the temper of some of these declaimers against abuses, let us take another case, (not more difficult, I hope, to be met with), where, after inquiry made, either the member, or the minister, or the first lord of the Admiralty, has virtue enough to say, that the pre-

tensions and merits of the person in question are so small, and the injustice of promoting him would be so great, that in spite of all the wish that one of them necessarily has to promote his own success, and the others may have to promote the success of an important parliamentary friend and adherent, and much as it may even be their duty to promote by all honest means the success of one, whose conduct in parliament is likely to be what they think right, they feel it impossible to comply with the application that has been made. Is it quite certain, is it quite a matter of course, that the author of the application, this inveigher against the corruptions of the times, is satisfied with this answer, however fully explained to him; that he does not turn away with a sulky look from his late friend, and without disputing at all the truth of the reasons on which the refusal is founded, of which he perhaps is better aware than any other person, or which he does not consider as being any thing to the purpose, that he does not signify in plain terms, that his rule is to 'serve those who serve him;' and from that moment does not transfer himself, and all those whose votes he *commands*, to the other side, taking what is called the independent line, and exhibiting himself among the first bawlers against the corruptions of the great, 'who think of nothing but their own interest.'

Here at least is an instance of abuse, (supposed indeed, but not on that account to be considered as a mere creature of the imagination), which, while it begins with one of the people, ends there likewise, and does not touch the government or the parliament at all. And such, we may venture to affirm, is the case of nine-tenths, or rather ninety-nine hundredths of the abuses complained of. The whole country, it is said, is full of abuses, from top to bottom. I am very much of that opinion; with this correction, that the description would be more just if we were to say from bottom to top; it being here, with this floating mass of abuses, as with other *media*, the parts of which are left to move freely, that the *strata* are denser, and grosser, the lower you descend, and that the highest region is the purest.

We have already seen to what source may be traced the greater part of the abuse of patronage, an abuse, which with the others is to be cured, I suppose, by the favourite remedy, an extension of the representation, that is to say, by multiplying a hundredfold the chief causes to which the abuse is to be at present ascribed. But if of this the far greater part is found to lie in the people themselves, who cannot otherwise be brought to support the very government which they thus reproach for yielding to their venality, what shall we say of those abuses, more properly so called, and upon which the people are much more intent, though they are really perhaps less important, viz. the various instances of fraud, embezzlement, speculation, and imposition, by which the expenditure of the country is swelled far beyond its natural size, and a million or two possibly taken from the pockets of the people, over and above what the real exigencies of the country require? This is the part that we chiefly hear of; and very proper it is that we should hear of it; but let us take care that we impute the blame to the right quarter, that we put the saddle upon the right horse.

With what approach to truth or propriety do we speak of these abuses, as abuses in the government? Who are the persons whom we mean to designate under the name of Government? What are the abuses complained of? and by what description of persons are they committed? Is it an abuse in the government, that is, in the members of the cabinet, and the persons holding high offices, including if you please the Parliament, that a store-keeper, or commissary, in the West Indies, or in Ceylon, embezzles the public stores, or sends in false accounts, by which the public is defrauded? Is it corruption in the Chancellor of the Exchequer, or in the ministry or parliament collectively, that gross frauds are daily and hourly practised on the revenue; that the taxes are eluded; that false returns are made; that excise and custom-house officers are perpetually bribed to betray their trust; that the tribes of officers, high and low, at home and abroad, of more denominations than can be enumerated, which an empire

like this is obliged to employ in its service, are often more intent upon advancing their own fortunes, than upon discharging their duty or guarding the interests of the public; and that all those, not being persons in office, with whom the government must occasionally have dealings, have no consideration, but how to make the most they can, and to cheat the public by every means in their power? I should be glad to know, how many of these arraigners of the profusion of the government, if they had a piece of land to sell in the neighbourhood of a barrack or military hospital, would limit the price they asked by any other consideration, than what they thought the necessity of the case would compel government to give, or would scruple, if they saw any prospect of success, to bribe the barrack master, or other officer, to betray his trust, and contribute to give effect to their exactions. It is, in the first place, perfect folly to talk as if the parliament and the government, (the parliament being a body that neither in fact nor theory can know any thing of the matter, and the government consisting of some ten or twenty persons, the members of the cabinet, and a few of the heads of great departments) can be responsible for the individual conduct of the thousands and thousands of subordinate officers and agents, who must be employed in the public service, and who are distributed, far and near, through all parts of a widely extended empire: to say nothing of the fact, that the greater part of these are obtruded or palmed upon the government, by persons not being themselves in any office, but in the strictest sense a part of the people, and who are thinking of nothing, but to serve, by whatever means, their own friends and relations. In the next place, these frauds, committed by persons within the pale of the government, are for the most part of a sort, that imply a confederate without. Like other acts which in the system of animal life cannot well be dispensed with, they require of necessity two parties. If the exciseman connives at the frauds of the brewer or the distiller, it is the distiller and brewer by whom he is bribed to do so. If the custom-house officer permits false entries, and allows goods to be imported or exported without the proper duties, and thereby affords an example of

an abuse committed, (if any one chuse so to describe it,) by one of the government, meaning a custom-house officer, what are we to say of the merchant or trader, by whose bribe he has been induced to do this? who, it cannot be disputed, is one of the people, and one of the people merely; and very possibly, with the distiller, brewer, or other trader, one of those who think that the country can never thrive, till a radical reform shall have put an end to abuses. The fact is, that when the matter comes to be searched to the bottom, it is the people throughout, who are cheating the people; the people individually cheating the people collectively, and then finding in their own frauds and knaveries a reason for tearing to pieces the government. How is government a party to these frauds? Even in respect to patronage; the part in which the government, properly so called, will be found most to offend; it is not ascribing much to persons, at the head of departments, to suppose, that when their own immediate connections and dependents are satisfied, they would be willing to promote good men rather than bad, if they were not controlled by the insatiable demands of those, whom they cannot disoblige without renouncing the means of carrying on the public service, and who never think for a moment of merit or demerit, or of any thing else, but of providing for those, whom, for some reason or other, they wish to serve. So, in respect to pecuniary abuse or waste, it is no great compliment to a Chancellor of the Exchequer to suppose that he is desirous of making the taxes as productive as possible. We need not look to his virtue or sense of duty as a security for this endeavour. His own interest will be a sufficient pledge, and particularly that interest which it is most the fashion to throw in the teeth of public men, namely, the desire of keeping his place. The crime of government, therefore, in almost all these instances, is that of not being able, with all its efforts, animated even with the strongest sense of self-interest, to prevent the crimes of others. The people in all quarters and by all opportunities are preying upon the public, and then make it the reproach of the government that it has not the power to prevent them. Such a reproach might, it is confessed, be well found.

ed, if a failure in the performance of this task on the part of government, proceeded from neglect, remissness, or want of proper zeal. But besides that interest, as was before observed, concurs here with duty, let us see how the matter stands, on a consideration of what would be in the power of government, supposing exertion to be pushed to the utmost.

What is the sense of supposing that government must be able to do with respect to the public, what no man is able to do in his own affairs and family? Who is there that can boast to have established a system of superintendence so complete, or to be blessed with a set of servants of such rare honesty and so attached to his interest, as not to leave him a prey to innumerable abuses, greater or less, in his stables, his still-room, his kitchen, his butler's pantry, in every department in short of his household? If this is the case of men acting in the management of their own private affairs, and quickened by every motive of self interest, and may be predicated with truth probably of every domestic establishment in the kingdom, down even to the most limited, what shall we say of the reasonableness of the expectation, that any zeal or strictness in thirty or forty persons, (or in ten times that number,) who can be described with any propriety as forming the executive government, shall be able to exclude abuses from the innumerable subordinate departments, over which they are to preside, and which extend over half the globe? The amount of abuse, be it observed, incident to establishments, does not increase merely with the size of the establishment, so as for the abuse in larger establishments to bear the same proportion only to the establishment itself, as it does in smaller ones; it rises at a much greater rate: first, because the superintending power, the number of persons having a direct interest in the well-being of the whole, cannot be multiplied in the proportion of the establishment: secondly, because the parts are further removed from observation; thirdly, on account of the complication and mixture of interests, which increase the combinations far beyond the increase of the number of objects; and lastly, from the greater laxity apt to prevail in respect to frauds upon

large funds, compared with something of stricter feeling which may be hoped for towards funds more limited. We see every day what a total carelessness there is in the expenditure of money, which, being money of the public, seems to belong to nobody. This indifference about expending, will be attended with a correspondent want of scruple in appropriating. As the scale of expenditure becomes larger, the injury sustained by the state from the loss or mis-application of any particular sum becomes less perceptible; and men yield with more facility to the argument, that what is great to them is little to the country, and will never be missed. This is the morality, I fear, of a large portion of the nation, and I am sure is not least found, as far as any observation of mine ever went, in those who would pass themselves off as the only persons, zealous for the rights, or authorized to speak the sentiments, of the people. Yet with a system of public probity thus relaxed, in the midst of a nation thus disposed to prey upon itself, and upon a scale of expenditure like that which must of necessity prevail in an empire extended as ours now is, it is thought a reason for breaking up the government, that it cannot exclude abuses from our establishments, to a degree which few persons find attainable, in the management even of their own domestic concerns. It is our business, no doubt, to keep those abuses as low as possible; and the more corrupt the public is, the more are such exertions necessary: but, let us not complain that we do not attain what is not attainable, and above all let us understand the fact truly, that the corruptions charged are, except in a few inconsiderable instances, not the corruptions of the government, but the corruptions of the people which the government is unable to prevent.

Having thus far examined the nature of the charges, let us inquire a little whether there is any thing which we are bound to yield to the authority of those, by whom they are brought forward. I do not know why the members of this house, or of any other body, are to stand quietly by, and hear themselves stigmatized collectively with all sorts of opprobrious epithets, which they do not feel individually to deserve, without so far

retaliating upon their revilers, as to ask with submission, who they are, who by thus dealing out their invectives to the right and left, seem to arrogate to themselves the character of being the only honest men in the kingdom. We want to know a little upon what they found their pretensions. After defending ourselves as well as we can, we may be allowed to exert a portion of the freedom, which they so largely take with us, and request to be informed, what are the pledges which they have given, what the sacrifices which they have made, as vouchers for this integrity and public spirit, which they seem to consider as to be found no where but with themselves? A reputation for patriotism seems to require for the attainment of it less than is necessary for the acquisition of any other object, however trivial. Nothing seems to be requisite, but the assurance which gets up and says, I am the only honest man, all others are rogues. Indeed, the former part of the declaration, the testimonial given by the party to his own integrity, seems hardly to be called for: if the abuse of others be sufficiently loud and general, the honesty of the person himself is assumed as matter of course. No trial or examination is necessary, no previous stock of reputation, no evidence from former conduct; the trade of a patriot, like that of an attorney or apothecary, is of the class of those which may be set up without capital. I should be glad to know, for instance, what are the sacrifices which have ever been made by the honourable baronet (sir Francis Burdett) as the foundation of that high tone which he assumes with respect to all unfortunate public men who have ever been in office. I am far from meaning to insinuate, (I have no fact to warrant the insinuation) that the honourable baronet would not be ready at any time, to make all the sacrifices to his principles that could be called for: he might or he might not: but I mean to say, that none such having been called for, none have in point of fact been made. On the contrary it has so happened that the honourable baronet has got by his patriotism, by the natural, spontaneous, (unlooked-for if you please,) effects of his patriotism, all that many men have been willing to obtain, or have pursued without obtain-

ing, at the expence of half their fortunes. By this no credit may have been lost to the honourable baronet, but none can be gained. Virtue can only be proved by trials and sacrifices. A man cannot shew his disinterestedness by what he gets, however honestly he may come by it. No one surely will pay so ill a compliment to the honourable baronet, or to the country, as to give for a proof of rare and distinguished virtue, that he has never asked a favour of any minister either for himself or for a friend. How many might make the same boast; who yet never thought of inveighing against all the rest of the world as corrupt and dishonest. And after all what does the boast amount to? With respect to friends, the praise is rather equivocal. A man may happen to have no one, who is at once capable of being served by place or appointment, and for whom he is particularly anxious. And as to office for himself, is it known that the offer was ever made to the honourable baronet? or that he himself ever wished it? With a large fortune, and all the comforts and pleasures of life before him, he may never have thought the pride or power of office a compensation for its cares and constraints, or even for the privilege which he now enjoys (and is not sparing in the use of) of railing at those whose opinions and feelings upon that point have been different from his own. The merit of sacrificing office can alone be found among those, for whom office has charms; and upon that principle the honourable baronet must not be surprized, though in other respects he will no doubt, if I look for proofs of political virtue, to be contrasted to any on his part, in quarters from which he would turn with scorn, as from the very hot-beds of all corruption.

What will the friends of the honourable baronet say, when they hear me quote for my instance, the conduct of Mr. Pitt? The general career of Mr. Pitt's political life, and his administration of the affairs of this country, during the great crisis in which he latterly acted, I perhaps as little approve as the honourable baronet can do; though for reasons altogether different: but one of the very charges which many might

bring against Mr. Pitt, (I mean his love of power,) is the pledge of his merit in the instance to which I am alluding, I mean his resignation of power in the year 1801. It is no reproach to Mr. Pitt to say that he was an ambitious man. It may be something of a reproach, though I am afraid the fact is true, that his ambition showed itself too much in love of power and office. The habits, in fact, of official life had begun so early with him and continued so long, that they must have become a sort of second nature; place and power were almost among the necessities of life to him; yet with all those feelings upon him, original and acquired; with a possession of power, longer enjoyed and more firmly established than can be found possibly in any other instance, not excepting that of Sir Robert Walpole; with a perception as quick, as man ever had, of what was likely to be useful or prejudicial to him in any political step; Mr. Pitt did not hesitate in withdrawing from office, at the period alluded to, the moment he found it could be no longer held, but upon terms inconsistent, as he thought, with his duty, and derogatory from his character. It is in vain to say, that this might not be an act of pure virtue, but be mixed up with feelings of shame, or pride, or policy, or others of that sort. There is no end of such objections; which, after all, can make no difference here, where we are upon a question of comparison; since, if admitted at all, they must appear equally on both sides of the account. It is just as easy to say, that the honourable baronet in the course which he has pursued, has acted with a view to what he has got, as that Mr. Pitt on the occasion alluded to, acted with a view to what he did not get. The exact measure of virtue that enters into any act, can be known only to the Searcher of all hearts: We must be content to take for virtue what contains all the usual indications of it, and produces all the effects. There is no reason to suspect the sacrifice thus made by Mr. Pitt, to be less genuine than it purports to be. He did not sacrifice what he did not highly value: and no man was more likely to foresee (what the event proved,) that ministerial power, which owes so much to the length of its continuance, could

hardly, after an interruption, be ever completely restored to what it was before. The honourable baronet, I have no doubt, had the occasion been offered, would equally have shewn that personal considerations had no weight with him, when placed in competition with the calls of duty, or even with those of honest fame. But the opportunity, as far as I am aware, has never been afforded him; and no one can be allowed to claim the same credit for what he has only intended and believed himself capable of doing, as others for what they have actually done.

Upon the whole of this subject of the corruptions of the great, we may venture to say, that be their virtue what it may, it is at least *at par* with that of the persons by whom it is arraigned. There are very few men in public life, who could not, if they thought it worth while, if they could bring themselves to be proud of merit so little rare, quote instances of sacrifices which they had made—to duty, to point of honour, to estimation of friends, to party spirit, if you please, but to something far superior to the mere sordid desire of profit or emolument,—to which the greater part of these patriotic declaimers could not only shew nothing parallel in their own conduct, but which they would not, as far as related to themselves, dream even to be possible.

So much for this great topic of Abuses, which is now made the foundation stone of the system, and gives to the authors of the system all that was wished by the philosopher of old, when, in order to move the world from its basis, he asked for nothing but a place whereon to fix his machine. By far the greater portion of abuses, even of those which do finally reach the government, proceed from the people themselves. They are the bribes which government pays to the people, directly or indirectly, to prevent them from pulling the government to pieces. This is more especially exemplified in that worst and most pernicious species of abuses, though by far the least complained of, the abuse of patronage. But the great mass of abuse, that which

forms nine-tenths, at least, or, more probably, ninety-nine hundredths of the whole, and which alone directly affects the pockets of the people, both begins and ends with the people, and consists of the frauds, impositions, embezzlements, and peculations, committed by the tribes of officers, high and low; (with the exception only of the highest;) who though employed under the government, can still, in no rational view, be considered otherwise than as part of the people; as well as by all those, who, not being in any, even the most subordinate office, have still occasional dealings with the public, or opportunities in some way or other of turning its interests to their account.

The mode proposed for putting a stop to these abuses, is to reform the parliament; that is to say, to have a scheme of representation, in which, the elections being more popular, the parliament should issue more directly from the general mass of the people, and a larger portion of it in consequence be likely to consist of persons taken from the lower orders, the country in the mean while, by the increased number of competitors, and by the means through which they must hope to succeed, being thrown into an additional ferment. The plan, with a view to its professed object, cannot be said either to promise much or to be chosen with very peculiar felicity. It is not an obvious way, for making the liquor run clear, to give a shake to the cask and to bring up as much as possible from the parts nearest the bottom. Could it be believed, without proof from the fact, that men could be found seriously to indulge speculations so destitute of every foundation in reason or common sense? The reform wanted, for the purposes said to be intended, is either a reform of the whole people, which it is childish to hope, or a reform in the government, by arming it with such new powers, as might indeed answer the end proposed, but would in the mean time be wholly incompatible with the nature of our free constitution.

There are but three ways in which mankind can be governed; by their virtues, their interests, or their fears. To

be able to govern men by their sense and their virtues is unquestionably the best of all. If men will be ready always to support gratuitously what they think right, and oppose nothing but what they conscientiously believe to be wrong, the task of government would comparatively be easy, and corruption without excuse. The minister would have nothing to do but to choose right measures; and the merit of the measure might be expected to carry it through. But if the fact should be, that there are numbers who cannot be brought to support even what they themselves approve, without being paid for it, and who, if they have not been so paid, or think they can get better payment elsewhere (whether that payment consist in place, or money, or popular applause, or the gratification of some malignant or selfish passion,) will combine and cabal, and create every sort of obstruction and impediment, there is then no other way, in a free government, for the purpose of carrying on the public service, but to gain over such persons by their interests, which, in the language of the time, is to be guilty of corruption; but a corruption surely of which the guilt cannot fairly be charged on the government.

In governments indeed of another sort, such as that which makes so conspicuous a figure in the present times, I mean the government of Buonaparté, the case is altogether different; and no more necessity exists for corruption under such a rule than in a nation of men perfectly wise and virtuous. He (Buonaparté) is under no necessity to bribe men's concurrence to measures that are for the interest of the country, and has, moreover, methods far more effectual than any which free countries possess, to prevent the abuses arising from fraud, or peculations. A man who could hang without ceremony a custom-house officer who should be found conniving at any fraud on the revenue, and hang or send to the gallies the merchant who should bribe him to such connivance, may be pretty sure of confining within reasonable bounds all abuses of that description. The same will be the case with any other species of abuse. But how, in countries where conduct is free, men can be prevented from selling

that, which they will not consent to give, or how, where law is formal and scrupulous, and beset on all sides with guards and defences for the protection of innocence, it can be made to retain, in all cases, sufficient celerity for the overtaking of guilt, are problems, with which the authors of these complaints never seem to trouble themselves. They call boldly and loudly for the suppression of abuses; and if the suppressing abuses was the only object to be attended to, the task would be easy. There is a government in the neighbourhood, the same to which I have just alluded, that tells us how that work is to be done. I will pay so much homage to Buonaparté's government as to say, that it either is, or may be, one of the most free from abuses of any that ever existed. But will the clamourers for this salutary reformation be content to have it upon the same terms? We have seen already, what the nature of the greater part of these abuses is, and from what source they spring. And do not let us take this upon trust. Let those who doubt, go into the inquiry, and examine, one by one, the instances in which they complain that the public money has been transferred wrongfully into the pockets of individuals, or the public patronage perverted, and see what the utmost extent is of that portion, which has been appropriated to the interests of ministers, or of those for whom they were personally anxious.

Upon this issue we may suffer the question to rest, considered as part of a general system, which aims at a great change in the constitution (a subversion of it as I should say) under the name of reform, and grounds the necessity of such reform upon the extent and number of the subsisting abuses. It remains only that we say a few words upon the more narrow view of the subject as introduced by the honourable mover.

The direct end and object of the motion, as we collect from some passages in his speech, the specific effect which he means to produce, is that of erecting a barrier to the too great influx into this house of the monied interest. The means proposed are such as cannot but be approved, if the description of them

be true, viz. that they consist entirely in the correction of a practice which is in the highest degree corrupt. The consequences, as usual in all cases where new remedies are advertised, are to extend far beyond the removal of the immediate complaint, and to benefit the constitution in a thousand different ways. It happens whimsically that the primary object of the mover, (a pretty important one, and requiring, one should think, a good deal of nice consideration), namely the altering the balance between the landed and the monied interest, seems to be no object at all with those to whom the motion is principally addressed, and not much indeed to the honourable mover, if we may judge by the small portion which it has occupied of his speech. It slips in almost by parenthesis. It is lost and hid, in the splendour of the incidental advantages which the motion is to bring with it, in the confidence it is to restore, the unanimity it is to inspire, the heats it is to allay, the effect it is to have in silencing gainfayers, the foundation it is to lay of a new and glorious era, from the commencement of which nothing will be known throughout the country but one spirit of loyalty and patriotism, and a determination to live and die by the constitution. What a pity that prospects so bright, and which my honourable friend contemplates with such unspeakable satisfaction, should be so soon obscured! Never was hope so sanguine, so suddenly blasted! It is nipped in its first bud. It does not live to the second reading. It is consigned to the tomb almost at the moment of its birth.

"Oh just beloved and lost, admired and mourned!"

This medicine, which was to produce such wonderful effects, which was to operate like a charm, so comfortable in the stomach, so exhilarating to the spirits, so restorative of all the vital functions, has totally falsified the first assurance respecting it, namely, that it would be very pleasant to the taste. What it may be in the stomach, or afterwards, we cannot well say; for those for whose special use it was intended, who were to seize it so greedily, find it so little pleasant that they will not suffer it to remain within their lips; but spit it out upon

the hands of my honourable friend, at the very moment when he is in the act of administering it.

Much useful instruction and information may be derived from this fact as well to my honourable friend as to ourselves. My honourable friend, I hope, will learn a lesson, of great utility to all reformers, to distrust a little the more remote consequences of their measures, when they see how liable they are to error, even in those which they expect to take place immediately. The house, it is hoped, will learn this distrust with respect to the measure now proposed. It is no great recommendation of any medicine that its effects are totally mistaken by the person who advises it. All our confidence in the physician is already lost. The only certain knowledge which we have, as yet, of the measure, is, that it will *not* do what the honourable mover predicted of it. It will not satisfy those, who at present inveigh against the abuses of the system, and contend that it ought to be reformed. On the contrary, they say that this measure, unless accompanied with others far more extensive, will only make things worse.

I have already endeavoured to show that the practice meant to be corrected, has no crime in it abstractedly considered; that it is not a *malum in se*. It is culpable only as it may be made so by law, or as it may practically be found to produce effects injurious to the public interest. When opinion out of doors is urged as a reason for adopting it, the answer is, that opinion out of doors, such as is here in question, is a very bad reason for adopting any measure, inasmuch as there can hardly be a worse criterion of what is really for the public benefit; and that, after all, the public opinion does not call for this measure separately and unaccompanied with certain others, which the honourable mover himself would declare that he does not wish to see take place. The inducements, therefore, to a compliance with the present motion lie in a very small compass indeed. They are simply its own merits; for, as to the splendid incidental consequences dwelt upon with such rapture by the honourable mover, they are all at an

end already. There will be no satisfaction produced. What is called the public will not thank you for the measure, otherwise than as it may be made a subject of triumph and a stepping-stone to other objects. The objections to it on the other hand, are the dangers of this triumph, and of those other objects to which it is meant to lead.

Upon the result of these opposite considerations, first examined separately, and then compared together, I have no hesitation in earnestly conjuring the house not to adopt the motion. The practice complained of has subsisted at all times, without any ground to suspect, or any suspicion being in fact entertained, that, according to the discovery now made, it has been sapping and undermining the constitution. The reasons in support of the measure now proposed for the abolition of the practice are perfectly unsatisfactory and inconclusive. We know the mischievous use intended to be made of it; and there can hardly indeed be any thing more mischievous in the first instance, than the yielding to public clamour, what we do not feel that we are yielding to truth and reason.

THE END.



